

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Norfolk Division

EDGAR GALEANO GALO, A201-588-390,

Petitioner,

v.

ACTION NO. 2:20cv534

JEFFREY CRAWFORD,
Superintendent of ICA-Farmville, et al.,

Respondents.

FINAL ORDER

This matter was brought by petition for a writ of habeas corpus under 28 U.S.C. § 2241. ECF No. 1. Edgar Galeano Galo, a foreign national in the custody of Immigration and Customs Enforcement at the Farmville Detention Center in Farmville, Virginia, sought release from his continued ICE detention “with appropriate conditions of supervision,” or in the alternative, a new hearing to reconsider his custody determination. *Id.* at 3.

The petition was referred to a United States Magistrate Judge for report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Magistrate Judge’s Report and Recommendation filed May 12, 2021, recommends dismissal of the petition without prejudice because the petitioner is no longer in custody and the petition is moot. ECF No. 17, at 3–4. The

Court has received no objections to the Report and Recommendation and the time for filing objections has expired.

The Court does hereby accept the findings and recommendations set forth in the Report and Recommendation, and it is therefore **ORDERED** that respondent Mathew Munroe's motion to dismiss the petition as moot—converted into a motion for summary judgment—(ECF No. 13) be **GRANTED**, Munroe's motion to dismiss the petition, or in the alternative, motion for summary judgment on the merits (ECF No. 9) be **DENIED AS MOOT**, and the petition for a writ of habeas corpus (ECF No. 1) be **DENIED** and **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction. It is further **ORDERED** the judgment be entered in favor of respondents.

The petitioner has failed to demonstrate “a substantial showing of the denial of a constitutional right,” and, therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. *See Miller-El v. Cockrell*, 537 U.S. 322, 327, 335–36 (2003).

The petitioner is **ADVISED** that because a certificate of appealability is denied by this Court, he may seek a certificate from the United States Court of Appeals for the Fourth Circuit. Fed. R. App. P. 22(b); Rules Gov. § 2254 Cases in U.S. Dist. Cts. 11(a). **If the petitioner intends to seek a certificate of appealability from the Fourth Circuit, he must do so within thirty (30) days from the date of this Final Order. The petitioner may seek such a certificate by filing a written notice of appeal with the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510.**

The Clerk shall forward a copy of this Final Order to Edgar Galeano Galo and counsel of record for respondents.

/s/

Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia
June 15, 2021